

No.



8100103

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**Hurst Gunson Cooper Taber Limited**

Whereas, THERE HAS BEEN PRESENTED TO THE  
**Secretary of Agriculture**

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *fifteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (PLANT VARIETY PROTECTION ACT, 1930, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

EVENING PRIMROSE

'Constable'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington  
this 15th day of July in  
the year of our Lord one thousand nine hundred and eighty-two.

Attest:

*Kenneth A. Egan*

Acting  
Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*John R. Block*  
Secretary of Agriculture





## REFERENCE

|  |  |
|--|--|
| Name of variety:                         | OE71 (CONSTABLE)   |
| Name and address of Breeder:             | Hurst Gunson Cooper Taber Limited.,<br>Avenue Road, Witham, Essex CM8 2DX.                         |
| Name and address of applicant            | Hurst Gunson Cooper Taber Limited.,<br>Avenue Road, Witham Essex CM8 2DX.                          |
| Name of UK agent or address for service. | Hurst Crop Research & Development Unit,<br>Gt. Domsey Farm, Feering, Colchester,<br>Essex CO5 9ES. |

## DESCRIPTION

|   |  |
|---|--|
| Leaf: blistering (in rosette stage)                           | slight   |
| Leaf: colour (in rosette stage)                               | medium   |
| Leaf: spots (in rosette stage)                                | absent   |
| Time of bolting:  | late   |
| Stem: anthocyanin coloration (diffuse)                        | weak   |
| Stem: anthocyanin spots                                       | few  |
| Flower: size  | small  |
| Flower: position of stigma                                    | overlapping top of anthers   |
| Pod: length   | short  |
| Variety or varieties most similar to the new variety          | OE 169 (COSSACK)   |
| Describe the difference between the new variety and the above | Rapid germination and early growth<br>Stem anthocyanin spots<br>Bud anthocyanin coloration<br>Shorter plants<br>smaller pods |



100-100000

001 (00100000)

|  |   |
|--|---|
| Name of variety:                       | Wheat (var. Cooper)   |
| Name and address of breeder:           | Wheat Research & Development Unit, 100-100000, 100-100000, 100-100000 |
| Name and address of applicant:         | Wheat Research & Development Unit, 100-100000, 100-100000, 100-100000 |
| Name of agent or attorney for service: | Wheat Research & Development Unit, 100-100000, 100-100000, 100-100000 |

DESCRIPTION

Color: glaucous (in rosette slightly green)  
Leaf: column (in rosette stage) medium  
Leaf: rosette (in rosette stage) abundant  
Time of bolting: late  
Stem: anthracnose resistant (disease)  
Stem: anthracnose spots  
Flower: size small  
Flower: position of stigma overlapping top of anthers  
Pod: length short  
Tendency on varieties most similar to the new variety  
OR 100 (00100000)  
Describe the difference between the new variety and the above  
of anthracnose spots  
of anthracnose spots  
of anthracnose spots  
of anthracnose spots





## EXHIBIT A

Constable is tentatively considered to be in the species Oenothera biennis. It is distinguished from Oe. parviflora by having erect stem tips and terminal subullate sepal tips with insignificant auricle at anthesis. It is distinguished from Oe. grandiflora, Oe. erythrosepala, Oe. Hookeri, Oe. elata, Oe. Jamesii, and Oe. longissima by its small petals (15-17mm long). It is distinguished from Oe. strigosa by the plants being more green, not greyish hairy. This analysis follows the key given by Munz, P.A. in North American Flora Series II (1965), Volume 5, page 120. There is however some dispute over the taxonomic organisation of the Euoenotherae (see for instance "An Outline of the Systematics of Oenothera Subsect. Euoenotherae (Onagraceae) by Raven, P.H., Dietrich, W., and Stubb, W. published in Systematic Botany (1979), volume 4, section 3, pages 242-252). The species designation given in the application should not therefore be considered to be definitive.

The origin of the variety is uncertain as it was received as part of a batch of material from a botanical institution in France. They in turn would have, directly or indirectly, obtained the material from the wild, using unknown selection criteria.

The breeders selected this particular variety on the basis of its early maturity, its short plant habit and its seed yield. It has proved to be uniform and true breeding. Those few off types which have been found have largely been attributable to seed admixture. Two possible genetic offtypes have been noted, both at levels considerably below 0.1%, namely a slightly taller form, and a marginally chlorotic form.



# EXHIBIT A

*Cenchrus* is tentatively considered to be in the species *Cenchrus* *diversus*. It is distinguished from *C. diversus* by having erect stem tips and terminal subulate seed tips with insignificant auricles at anthesis. It is distinguished from *C. ciliaris*, *C. eximius*, *C. hookeri*, *C. elata*, *C. lamellata*, and *C. longicaulis* by the glumes (1.5-1.7 mm long). It is distinguished from *C. strigosus* by the glumes being more green, not grayish hairy. This analysis follows the key given by Sauer, A. in *Northern American Flora Series II* (1967), Volume 2, page 180. There is however some dispute over the taxonomic organization of the *Eragrostis* (see for instance "An Outline of the Systematics of *Eragrostis* Thunberg. (Gramineae) by Laven, L.H., Dutton, W., and Stebbins, W. published in *Systematic Botany* (1972), volume 1, section 3, pages 242-258). The species designation given in the application should not therefore be considered to be definitive.

The origin of the variety is uncertain as it was received as part of a batch of material from a botanical institution in France. When in stem would have, directly or indirectly, obtained the material from the wild, using unknown collection criteria.

The presenters selected this particular variety on the basis of its early maturity, its short plant habit and its seed yield. It has proved to be uniform and true breeding. These few off types which have been found have largely been attributable to seed mixture. Two possible genetic off types have been noted, both at levels considerably below 0.1, namely a slightly taller form, and a marginally chlorotic form.





## INSTRUCTIONS

**GENERAL:** Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

### ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

PVPD  
AMS, LFG&S DIV.



RECEIVED  
MAR 31 1981



# APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

|   |  |   |  |   |  |
|---|--|---|--|---|--|
| 1a. TEMPORARY DESIGNATION OF VARIETY<br><b>Oe 71</b>  |  | 1b. VARIETY NAME<br><b>Constable</b>  |  | FOR OFFICIAL USE ONLY<br>PV NUMBER<br><b>8100103</b>    |  |
| 2. KIND NAME<br><b>Evening Primrose</b>   |  | 3. GENUS AND SPECIES NAME<br><b>Oenothera biennis</b><br><b>sp 2/17/82</b>  |  | FILING DATE<br><b>4/29/81</b>                           | TIME<br><b>11:30</b> <b>A.M.</b>         |
| 4. FAMILY NAME (BOTANICAL)<br><b>Onagraceae</b>   |  | 5. DATE OF DETERMINATION<br><b>1979</b>   |  | FEE RECEIVED<br>\$ <b>500.00</b><br>\$ <b>250.00</b>    | DATE<br><b>4/29/81</b><br><b>5/11/82</b> |
| 6. NAME OF APPLICANT(S)<br><b>Hurst Gunson Cooper<br/>Taber Limited</b>   |  | 7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)<br><b>Avenue Road, Witham CM8 2DX<br/>U.K.</b> |  | 8. TELEPHONE AREA CODE AND NUMBER<br><b>0376-516600</b> |  |
| 9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.)<br><b>Limited Company</b>  |  | 10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION<br><b>N/A</b>   |  | 11. DATE OF INCORPORATION<br><b>N/A</b>                 |  |
| 12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:<br><b>Hurst Crop Research and Development Unit, Gt. Domsey Farm,<br/>Feering, Colchester CO5 9ES U.K.</b> |  |   |  |   |  |

## 13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☒ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☒ YES ☐ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION ☐ REGISTERED ☒ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☒ YES ☐ NO (If "Yes," give name of countries and dates.)

**U.K. December 23rd 1980**

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☐ YES ☒ NO

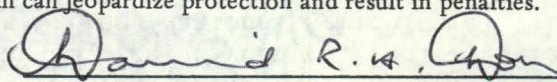
17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

**23rd March, 1981**

(DATE)



(SIGNATURE OF APPLICANT)

**David R. H. Dow  
Director of Research**

**1**

(DATE)

(SIGNATURE OF APPLICANT)



## EXHIBIT B

### Novelty statement

Constable is most similar to Cossack. It is distinguishable by the following characters:-

- 1) Constable has a more rapid germination.

|                    |      |
|--------------------|------|
| Constable          | 6.67 |
| Cossack            | 1.33 |
| LSD (5%)           | 3.8  |
| Degrees of freedom | 4    |

(Seedling emergence scored 0-9, ten days after sowing)

- 2) Constable has a more rapid early growth.

|                    |      |
|--------------------|------|
| Constable          | 5.3  |
| Cossack            | 3.7  |
| LSD (5%)           | 1.34 |
| Degrees of freedom | 4    |

(Rosette size scored 0-9 after 70 days)

- 3) Constable has red pigmented spots on its stems, Cossack does not.

- 4) Constable has red pigmentation on the buds, Cossack does not.

- 5) The plants of Constable are shorter.

|                    |       |
|--------------------|-------|
| Constable          | 116.7 |
| Cossack            | 125.0 |
| LSD (5%)           | 5.1   |
| Degrees of freedom | 19    |

(Height of principal flowering stalk in centimetres measured at the end of flowering)

- 6) The pods of Constable are shorter than those of Cossack and are more barrel shaped.

|           |           |
|-----------|-----------|
| Constable | 1.5 - 2.0 |
| Cossack   | 2.0 - 2.5 |

(Length of pods in centimetres)

The variety Cossack has completed two year's trials in the U.K. and Plant Breeders Rights will shortly be awarded.



TABLE 1

Novelty statement

Novelty statement is most similar to U.S. Patent 3,800,000. It is characterized by the following characteristics:-

1) - U.S. Patent 3,800,000 is a novel type of invention.

|     |             |
|-----|-------------|
| 0.0 | U.S. Patent |
| 1.0 | U.S. Patent |
| 2.0 | U.S. Patent |
| 3.0 | U.S. Patent |
| 4.0 | U.S. Patent |

(Detailed description of U.S. Patent 3,800,000, see also U.S. Patent 3,800,000)

2) - U.S. Patent 3,800,000 is a novel type of invention.

|     |             |
|-----|-------------|
| 0.0 | U.S. Patent |
| 1.0 | U.S. Patent |
| 2.0 | U.S. Patent |
| 3.0 | U.S. Patent |
| 4.0 | U.S. Patent |

(Detailed description of U.S. Patent 3,800,000, see also U.S. Patent 3,800,000)

3) - U.S. Patent 3,800,000 is a novel type of invention.

4) - U.S. Patent 3,800,000 is a novel type of invention.

5) - U.S. Patent 3,800,000 is a novel type of invention.

|     |             |
|-----|-------------|
| 0.0 | U.S. Patent |
| 1.0 | U.S. Patent |
| 2.0 | U.S. Patent |
| 3.0 | U.S. Patent |
| 4.0 | U.S. Patent |

(Detailed description of U.S. Patent 3,800,000, see also U.S. Patent 3,800,000)

6) - U.S. Patent 3,800,000 is a novel type of invention.

|     |             |
|-----|-------------|
| 0.0 | U.S. Patent |
| 1.0 | U.S. Patent |
| 2.0 | U.S. Patent |
| 3.0 | U.S. Patent |
| 4.0 | U.S. Patent |

(Detailed description of U.S. Patent 3,800,000, see also U.S. Patent 3,800,000)

7) - U.S. Patent 3,800,000 is a novel type of invention.

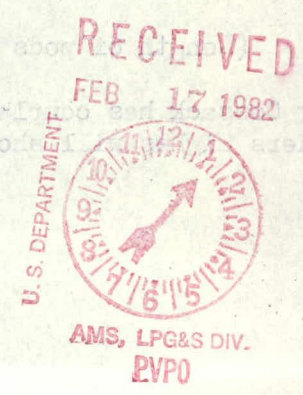




EXHIBIT C

|   | <u>Constable</u> | <u>Cossack</u> | <u>Commodore</u>   |
|---|------------------|----------------|--------------------|
| 1 + 2) Plant height<br>at maturity                              | 117              | 125            | 130                |
| 3) Habit of flowering<br>stalk                                  | erect            | erect          | erect              |
| 4) Number of lateral<br>branches on<br>flowering stalk          | several          | several        | many               |
| 5) Relative length<br>of uppermost<br>lateral branches          | distinct         | distinct       | distinct           |
| 6) Attitude of apical<br>tip of flowering<br>stalk at flowering | erect            | erect          | erect              |
| 7) shape of leaves  | lanceolate       | lanceolate     | obovate-lanceolate |
| 8) leaf margin<br>dentation                                     | NA               | NA             | NA                 |
| 9) Sepal colour<br>(0-9)  | 4                | 0              | 0                  |
| 10) Flower colour   | yellow           | yellow         | yellow             |
| 11) Seed length (mm)  | 1.2              | 1.2            | 1.5                |



| Character   | Form of leaf | Form of flower | Form of fruit |
|---|--------------|----------------|---------------|
| 1 + 2) Plant height at maturity                           | 1.5          | 1.5            | 1.5           |
| 3) Height of flowering stalk                              | erect        | erect          | erect         |
| 4) Number of lateral branches as on flowering stalk       | several      | several        | several       |
| 5) Relative length of uppermost lateral branches          | distinct     | distinct       | distinct      |
| 6) Attitude of apical tip of flowering stalk at flowering | erect        | erect          | erect         |
| 7) Shape of leaves  | lanceolate   | lanceolate     | lanceolate    |
| 8) Leaf length  | 1.5          | 1.5            | 1.5           |
| 9) Leaf width   | 0.5          | 0.5            | 0.5           |
| 10) Flower colour   | yellow       | yellow         | yellow        |
| 11) Seed length (cm)                                      | 1.5          | 1.5            | 1.5           |





# Evening Primrose

## Selected Characteristics for 'Constable'

### Stem red pigmented spots

1. red - Constable (few spots)
2. no red spots

### Pod shape

1. Barrel shaped - Constable
2. Not barrel shaped  
(give shape)

### Leaf blistering (in rosette stage)

1. Slight blistering - Constable
2. Blistering

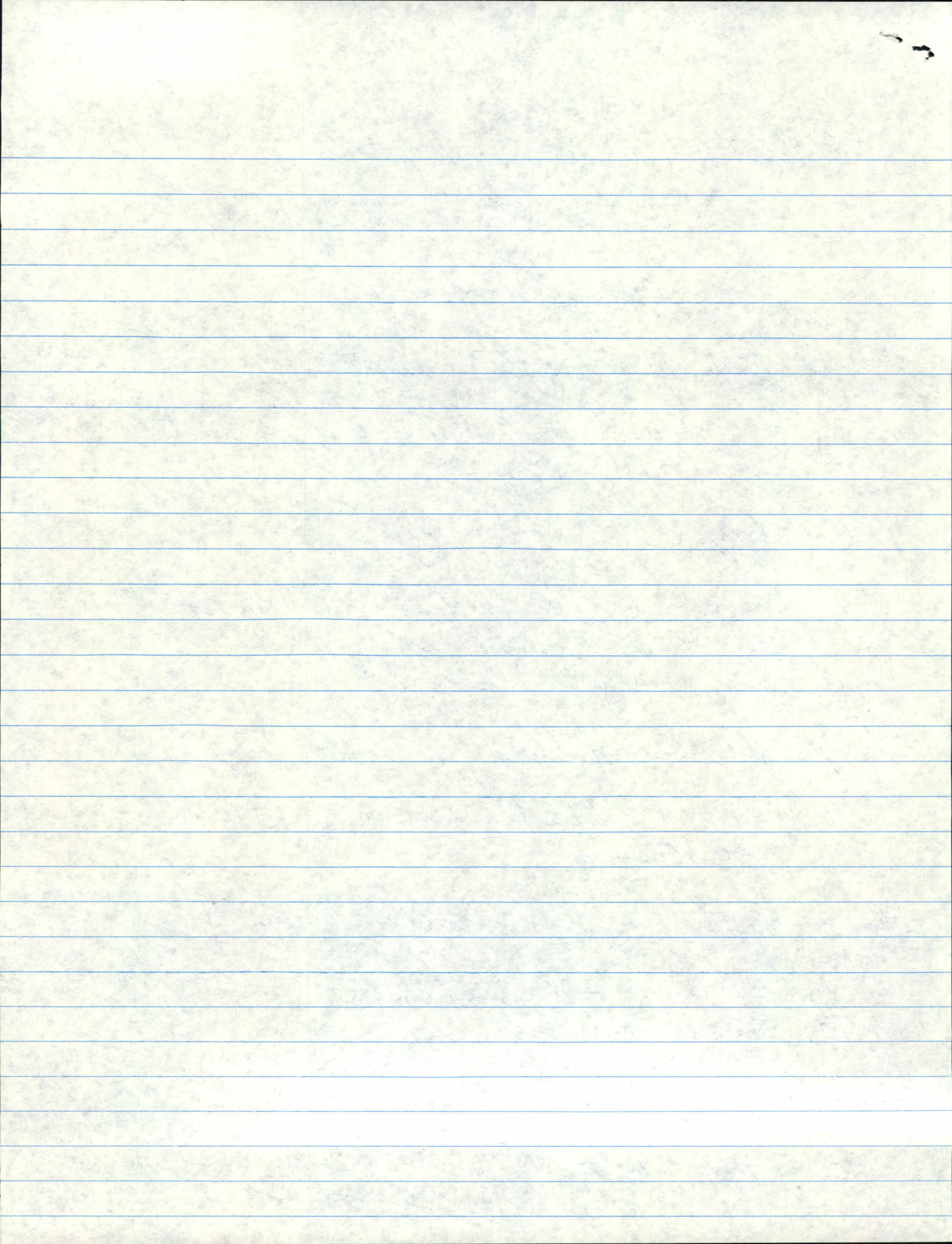
### Leaf spots (in rosette stage)

1. Absent - Constable
2. Present

### Time of Bolting

1. Late - Constable
2. Not late







Stem: Anthocyanin coloration (diffuse)

1. Weakly colored - Constable
2. Even coloration

Flower size

1. Small - Constable (petals 15-17mm long)

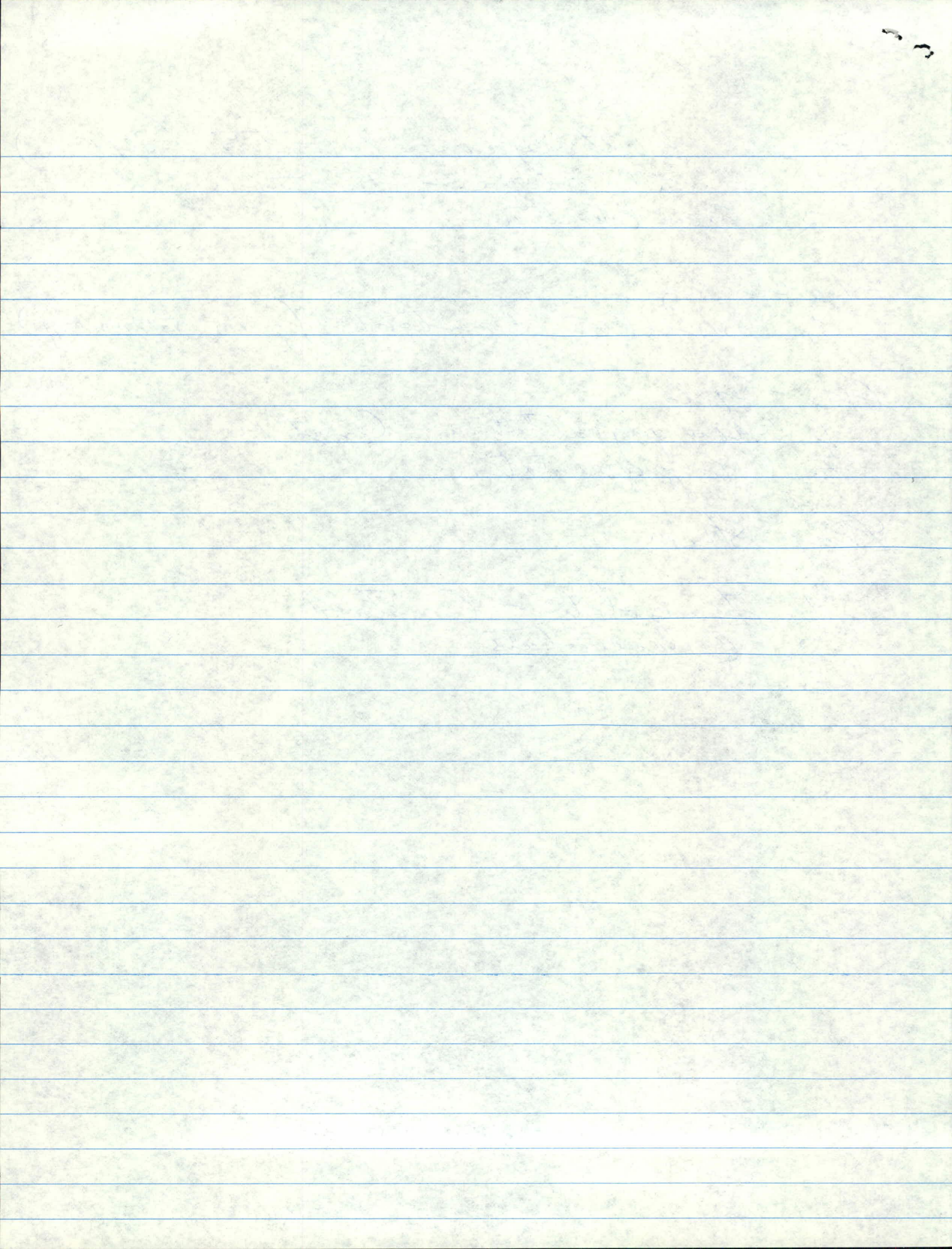
Buds - Segals

1. Red pigmentation - Constable
2. No pigmentation

Leaf shape

1. Lanceolate - Constable
2. Oblanceolate
- 3.







Ministry of Agriculture, Fisheries and Food  
 Plant Variety Rights Office  
 Department of Agriculture and Fisheries for Scotland  
 Department of Agriculture for Northern Ireland  
 Welsh Office Agriculture Department  
 Plant Varieties and Seeds Act 1964

For official use

AFP 102/

Breeder

Applic.

Agent

TECHNICAL QUESTIONNAIRE (1980 ed.)

EVENING PRIMROSE (*Oenothera L.*)

Please mark 'X' in the relevant boxes and complete each section

For Plant Breeders' Rights tests



## 1. REFERENCE

Variety name and/or  
number
Name and address  
of breeder
Name and address  
of applicant
Name of UK agent or  
address for service

## 2. APPLICATIONS IN OTHER COUNTRIES

Give details of  
 applications and of  
 proposed applications  
 if known. Give variety  
 name and/or number used  
 in applications

| Country              | PBR                  | Date                 | Variety name and/or<br>number |
|----------------------|----------------------|----------------------|-------------------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/>          |

## 3. ORIGIN

Parentage

Breeding method







DESCRIPTION

|                                  |   |  |  |
|----------------------------------|---|--|--|
| blistering (in rosette stage)    | slight <input checked="" type="checkbox"/>    | medium <input type="checkbox"/>                                | much <input type="checkbox"/>                    |
| colour (in rosette stage)        | light <input type="checkbox"/>                | medium <input checked="" type="checkbox"/>                     | dark <input type="checkbox"/>                    |
| spots (in rosette stage)         |   | absent <input checked="" type="checkbox"/>                     | present <input type="checkbox"/>                 |
| of bolting                       | early <input type="checkbox"/>                | medium <input type="checkbox"/>                                | late <input checked="" type="checkbox"/>         |
| anthocyanin coloration (diffuse) |   | absent <input type="checkbox"/>                                | weak <input checked="" type="checkbox"/>         |
|                                  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |
| anthocyanin spots                |   | absent <input type="checkbox"/>                                | few <input checked="" type="checkbox"/>          |
|                                  |   | medium <input type="checkbox"/>                                | many <input type="checkbox"/>                    |
| anthocyanin coloration           | <input checked="" type="checkbox"/>           | absent <input type="checkbox"/>                                | weak <input type="checkbox"/>                    |
|                                  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |
| size                             | small <input checked="" type="checkbox"/>     | medium <input type="checkbox"/>                                | large <input type="checkbox"/>                   |
| position of stigma               | below top of anthers <input type="checkbox"/> | overlapping top of anthers <input checked="" type="checkbox"/> | clear of top of anthers <input type="checkbox"/> |
| length                           | short <input checked="" type="checkbox"/>     | medium <input type="checkbox"/>                                | long <input type="checkbox"/>                    |
| anthocyanin coloration           |   | absent <input type="checkbox"/>                                | weak <input type="checkbox"/>                    |
|                                  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |

variety or varieties most similar to the new variety

describe the differences between new variety and the above







PERFORMANCE

Intended main use for product

Special merit(s)

RESISTANCE TO PESTS AND/OR DISEASES

OTHER INFORMATION

SIGNED

Name ..... Signature

Date







Ministry of Agriculture, Fisheries and Food  
Plant Variety Rights Office  
Department of Agriculture and Fisheries for Scotland  
Department of Agriculture for Northern Ireland  
Welsh Office Agriculture Department  
Plant Varieties and Seeds Act 1964

TECHNICAL QUESTIONNAIRE (1980 ed.)

EVENING PRIMROSE (*Oenothera L.*)

EXHIBIT C

8100103

For official use

AFP 102/

Breeder

Applic.

Agent

Please mark 'X' in the relevant boxes and complete each section

For Plant Breeders' Rights tests

X

1. REFERENCE

Variety name and/or  
number

OE 71 CONSTABLE

Name and address  
of breeder

Hurst Gunson Cooper Taber Limited,  
Avenue Road, Witham, Essex CM8 2DX.

Name and address  
of applicant

Hurst Gunson Cooper Taber Limited,  
Avenue Road,  
Witham, Essex CM8 2DX.

Name of UK agent or  
address for service

Hurst Crop Research & Development Unit,  
Gt. Domsey Farm, Feering, Colchester,  
Essex CO5 9ES.

2. APPLICATIONS IN OTHER COUNTRIES

Give details of  
applications and of  
proposed applications  
if known. Give variety  
name and/or number used  
in applications

| Country | PBR | Date | Variety name and/or<br>number |
|---------|-----|------|-------------------------------|
|         |     |      |                               |

3. ORIGIN

Parentage

Unknown

Breeding method

Selected from wild







## DESCRIPTION

|  |   |  |  |
|--|---|--|--|
| Leaf: blistering (in rosette stage)    | slight <input checked="" type="checkbox"/>    | medium <input type="checkbox"/>                                | much <input type="checkbox"/>                    |
| Leaf: colour (in rosette stage)        | light <input type="checkbox"/>                | medium <input checked="" type="checkbox"/>                     | dark <input type="checkbox"/>                    |
| Leaf: spots (in rosette stage)         |   | absent <input checked="" type="checkbox"/>                     | present <input type="checkbox"/>                 |
| Time of bolting                        | early <input type="checkbox"/>                | medium <input type="checkbox"/>                                | late <input checked="" type="checkbox"/>         |
| Stem: anthocyanin coloration (diffuse) |   | absent <input type="checkbox"/>                                | weak <input checked="" type="checkbox"/>         |
|  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |
| Stem: anthocyanin spots                |   | absent <input type="checkbox"/>                                | few <input checked="" type="checkbox"/>          |
|  |   | medium <input type="checkbox"/>                                | many <input type="checkbox"/>                    |
| Bud: anthocyanin coloration            | slight <input type="checkbox"/>               | absent <input type="checkbox"/>                                | weak <input type="checkbox"/>                    |
|  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |
| Flower: size                           | small <input checked="" type="checkbox"/>     | medium <input type="checkbox"/>                                | large <input type="checkbox"/>                   |
| Flower: position of stigma             | below top of anthers <input type="checkbox"/> | overlapping top of anthers <input checked="" type="checkbox"/> | clear of top of anthers <input type="checkbox"/> |
| Pod: length                            | short <input checked="" type="checkbox"/>     | medium <input type="checkbox"/>                                | long <input type="checkbox"/>                    |
| Pod: anthocyanin coloration            |   | absent <input type="checkbox"/>                                | weak <input type="checkbox"/>                    |
|  |   | medium <input type="checkbox"/>                                | strong <input type="checkbox"/>                  |

Variety or varieties most similar to the new variety

OE 169 (COSSACK)

Describe the differences between the new variety and the above

Rapid germination and early growth  
Stem anthocyanin spots  
Bud anthocyanin coloration  
Shorter plants  
smaller pods







PERFORMANCE

Intended main use for product

Seed crop for oil extraction

Special merit(s)

RESISTANCE TO PESTS AND/OR DISEASES

OTHER INFORMATION

SIGNED

Name ..... Signature *Daniel R. A. Jones* .....

Date *March 23 1981* .....



Best copy for all extraction







CERTIFICATE OF INCORPORATION  
ON CHANGE OF NAME

No. 24499

I hereby certify that

HURST GUNSON COOPER TABER LIMITED

having by special resolution changed its name, is now  
incorporated under the name of  
BOOKER SEEDS LIMITED

Given under my hand at the Companies Registration Office,  
Cardiff the 1ST JANUARY 1987

A handwritten signature in dark ink, appearing to read 'E. Jones'.

MRS. E. J. JONES

Certified to be a true copy

an authorised officer

A handwritten signature in dark ink, appearing to read 'J. Miller'.

Company Secretary









Booker Seeds Limited  
Boston Road, Sleaford,  
Lincolnshire NG34 7HA

Telephone: 0529 304511  
Fax: 0529 303908  
Telex: 37189

**BookerSeeds**



PV# 8100103

Dr.T.A. Salt,  
Plant Variety Protection Office,  
NAL Building, Rm.500  
10301 Baltimore Blvd.  
Beltsville,  
ME 20705-2351  
USA.

FGAB/SAH  
1st May 1990

Dear Dr. Salt,

Evening Primrose Variety CONSTABLE (certificate no. 8100103)

On the 29th of April 1981 an application for Plant Variety Protection was made on the above variety by Mr.D.H. Dow of Hurst Gunson Cooper Taber Limited. The application was accepted and a certificate of Plant Variety Protection was granted on 15th July 1982.

On the 1st January 1987 Hurst Gunson Cooper Taber Limited changed its name to Booker Seeds Limited and I enclose a copy of the Certificate of Incorporation of Change of Name (certificate no. 24499). Unfortunately Hurst Gunson Cooper Taber Limited did not notify you of its change of name to Booker Seeds Limited at that time.

Booker Seeds Limited now wish to transfer the ownership of this variety to Scotia Pharmaceuticals Limited of Woodbridge Meadows, Guildford, Surrey, GU1 1BA, England and would be grateful if you would carry out the necessary actions.

If you require any further information please do not hesitate to contact me.

Yours sincerely,

*S. Hunt (hr)*

PP. Dr.F.G.A. Bassi  
Technical Director





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